

Mr. REGULA. I yield to the gentleman from Indiana.

Mr. SOUDER. Mr. Chairman, as my friend from Wisconsin knows my issue on this commitment goes far beyond the District of Columbia. This doesn't have anything to do with the goal of being a city council member in the District of Columbia.

I believe any type of funding of heroin needles is counterproductive, and there are plenty of medical experts on both sides who will make that argument either direction. But evidence is increasingly proving that the one group of doctors, the one group of researchers and the 7 years of legislation here are being proven correct, and time will prove them even more correct.

But I do want to address the underlying fundamental question on whether we have a right to legislate in the District of Columbia.

Obviously, the Constitution from the founding of this country has treated the District of Columbia differently. It's our national capital. We have increasingly given them more flexibility.

I think that that is, generally speaking, a good thing. But we don't have a Fort Wayne, Indiana, appropriations bill that comes to the floor. We get some funding, but there are not special bills that come from taxpayer dollars all over America. Nor is there a northern Wisconsin funding bill that comes to the House floor.

When we take large sums of money from our districts that then gets used in policies, in our national capital, that was set up to be different than the other States, with different guidelines and difference regulations, then we do have some obligation to the taxpayers in our district and to our Nation that chose us as the national capital and an appropriations process that set us up where we are taking funds from other States because this is our national capital, and which none of us resents putting funds in because it's our national capital. We use much of the space here, we have put certain restrictions in the city.

I believe we are justified then in trying to do wise policies to the degree possible when necessary in the city. But my opposition to heroin needles is not just restricted to District of Columbia. This is bad policy that does not help the HIV problem and does expand the heroin problem.

Mr. OBEY. Would the gentleman yield?

Mr. REGULA. I yield to the gentleman from Wisconsin.

Mr. OBEY. Let me simply say, I would agree with the gentleman if his amendment was limited only to the money that we are appropriating to the District of Columbia. What I don't agree with is when we impose that same judgment on the use of their local money.

Mr. SOUDER. Would the gentleman yield?

Mr. REGULA. I yield to the gentleman from Indiana.

Mr. SOUDER. The point is, we have debated this in multiple ways, we had faith-based debates. We had the debate the other day on international family planning. Money is fungible, and it's very difficult to sort out which is which when it's this big amount of funds we put into the city.

Mr. REGULA. I yield back the balance of my time.

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SERRANO. Mr. Chairman, in anticipation of the possibility that we would allow them to use their local dollars, the District of Columbia already has put together a plan, a very comprehensive plan to deal with this issue.

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That is the plan presented to the committee by Dr. Greg Payne, the Director of the Department of Health. In it, they speak about the dollars they want to spend and the agencies they want to deal with at the local level. They are very serious about the fact that they want this done, and we should be supportive of it.

I did not, in my comments, intend, nor do I now, to question the gentleman's commitment to his belief that this is not a good program. I respect that. I disagree with you, but that was never my intent, if that's what you got out of it.

But I know that you would not be able to present this kind of an approach anywhere else except when it comes to dealing with the District of Columbia because it is, for all intents and purposes, a territory or a colony. And I take that very seriously because I was born there, an America colony. And I'll be darned if I'm going to be the Governor, now in charge by the Congress of a colony. I don't want to do to D.C. what I feel has been done to my birthplace for 109 years. I fight every day to make that a better situation.

And I think what's happened is somewhere along the way we discovered in Congress, and at times it's been done by everybody, we discovered in Congress that there was a playground, there was a place where we could put forth issues that we thought were important issues. And so if you look at the provisions that prohibit local and/or Federal funds from being used in D.C., you see everything from the abortion issue to the gay issue, to the domestic partners issue, to the needle exchange issue; just about every issue that we have ever decided is important in this country, we've used D.C. as the example. And why? Because they can't fight back because they're powerless because they are, indeed, a colony.

Well, I don't know how long I'm going to be chairman of this committee, but as long as I'm chairman of this committee, I will work hard on many issues, and one of them is to alleviate the burden of the District of Co-

lumbia to have to be treated like a colony of the U.S. Congress.

Let us do this locally. Let us all decide that if you really believe in something like this, do it locally.

Let me read to you something that Mayor Fenty wrote to us. And I always mention the fact, and I don't want to put my ranking member in a difficult situation, although, you know, he's tough enough to handle it, but he and I are big fans of this Mayor. We're big fans of the vision he presents. We're big fans of giving the District every opportunity to succeed. He says it more than I do. In every opening statement, at every committee hearing, he brings up D.C. as something, a group of people he wants to help.

The Mayor says, statistics in 2005 show that D.C. has the highest rate of AIDS cases in the country, a rate that is over six times the national average. An estimated 1 in 20 D.C. residents is infected with HIV. Nearly 1 in 50 has full-blown AIDS.

My God, if this is true, and it is, then why wouldn't we let them at least use their local funds to deal with this issue?

You know, I don't know 50 years from now how we're going to be judged, but I think that an issue that may not get the importance it gets now, like this one, will be one of the ones that will judge all of us as to what we did when we had an opportunity to do something.

Mr. SOUDER. Will the gentleman yield?

Mr. SERRANO. Absolutely.

Mr. SOUDER. I want to make just two brief points. One is Vancouver, when they were first looking at it because of their at that time rising AIDS rates, which were not nearly as high at D.C., had a similar plan, or met with similar people from the medical community, and they've been proven wrong. Just because you have a plan and it came from the medical community does not mean it will work, and the program hasn't worked.

But I do want to make, if I could, one personal clarification. I am more than willing and have worked to put this restriction on every city in America. I don't distinguish Washington, D.C., from others, and I don't appreciate the implication that I would treat it like a plantation. I believe this restriction ought to apply to every city.

Mr. SERRANO. Well, with all due respect, and reclaiming my time, you may not feel that it's treated like a plantation, you may not feel that it's treated like a colony, but let me tell you, I don't know a plantation, but I know a colony, and we do treat it like a colony.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. SOUDER).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. SOUDER. Mr. Chairman, I demand a recorded vote.